

## **REMARKS**

### **Specification**

With respect to the objection to the specification, Applicant notes that the text as translated discloses "bands". Applicants substituted the word "strips" for the word "bands". The Examiner then objected to such substitution. Applicant has, therefore, adopted the language from the text; namely, the word "band" or "bands". It is noted however, that dictionaries indicate that the word "band" incorporates strips of various nature. Thus, applicants contend that the word "band" is generic and adopts that language in the claims. Further, the original claims set forth "elements" rather than "bands" or "strips". The elements were and are characterized as effecting mechanical stabilization of the fill. Thus, it is believed appropriate antecedent basis is derived from the specification.

### **Drawings**

The Examiner objected to the text of claims 12 and 16 contending the claimed element is not depicted. Claims 12 and 16 were directed to the concept of a loop in a synthetic stabilizing member which provides two sections projecting into a zone of fill. Applicants enclose herewith proposed Figure 4, which will be submitted in formal manner upon approval by the Examiner. It is contended that this drawing is adequately described in the text, for example, in paragraph 32 as well as paragraph 34 of the specification. Acceptance of this amendment to the drawing is respectfully requested.

### **The Invention and Rejections**

Briefly, the invention comprises a unique mechanically stabilized earthen structure which includes two overlapping zones of mechanically stabilized fill material, each zone including bands or stabilizing members or elements which overlap each other, in part, but do not touch and are not connected. One set of bands is attached to facing panels. That one set

and the facing panels define a first zone of mechanically stabilized fill material. A second set of stabilizing members define a second zone of mechanically stabilized fill material overlapping, in part, the first zone. Mechanically stabilized earth is comprised of tensile members at least partially interacting with fill by friction to provide a generally coherent mass or bulk form.

The claims were rejected pursuant to 35 USC §102 as well as §103 principally on the basis of the reference to Barrett, U.S. Patent 5,456,554 taken alone, or in combination with Brown. Figures 7 and 8 of Barrett depict a geotextile fabric 134 which forms a loop in combination with fill material to provide a single mechanically stabilized earthen work. A sparse description of this embodiment is given at column 11, lines 7-31. The geotextile assemblage provides an earthen work mass to which a facing wall 32 is attached by means of anchor bars 44.

If one considers the geotextile of Barrett to be a first zone of mechanically stabilized earth or fill, there is clearly no second zone of mechanically stabilized earth or fill in the Barrett reference. Rather, rods or anchor bars are provided which extend into the single mechanically stabilized earthen zone. The function or purpose of these anchor bars is to hold the facing in position by anchoring to the single, mechanically stabilized, geotextile, bulk form. Notably, the anchor bars are preferably flexible inasmuch as the patent teaches that the wall panels are moveable.

Barrett does not teach that the anchor members provide any mechanically stabilized earthen feature or, in fact, define anything such as a zone of mechanically stabilized earth. The patent teaches, for example in column 3, lines 47-53, that the anchor extends from the panels into the mechanically stabilized earthen work in a manner which permits flexibility or movement of the panels. Barrett has but a single zone.

In contrast, the present application claims call for first and second separately mechanically stabilized zones in an earthen work which overlap. Stabilizing members or elements are attached to front facing and extend into fill to define one zone. That zone overlaps with an interior, separate zone of stabilized earth created by main stabilizing bands or elements. The two zones are distinct and partially overlapping. The two zones are each mechanically stabilized, bulk forms. The mechanical stabilizing members in the second zone are attached to the facing, but not to the bands in the first zone.

Barrett, taken alone or in combination, clearly does not teach providing two distinct mechanically stabilized zones which interact one with the other. Additionally, there is no anchoring feature required with the claimed subject matter of the present invention as required by Barrett. That is, the earthen work is stabilized as a multiple zone mechanically stabilized earthen work.

Brown also does not provide the missing elements claimed nor otherwise render the claims obvious. Brown merely teaches a facing with a geotextile projecting there from. There is no showing of two overlapping zones as claimed.

New claims 19 and 20 also set forth and include the limitations discussed herein. In view of the foregoing, therefore applicants respectfully requests reconsideration of the claims and passage of thereof to allowance.

Respectfully submitted,

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